

United States Court of Appeals
for the Fifth Circuit

United States Courts
Southern District of Texas
FILED

October 01, 2021

Nathan Ochsner, Clerk of Court

United States Court of Appeals
Fifth Circuit

FILED

September 9, 2021

Lyle W. Cayce
Clerk

No. 19-20023

MICHAEL J. HEWITT,

Plaintiff—Appellant,

versus

HELIX ENERGY SOLUTIONS GROUP, INCORPORATED; HELIX
WELL OPS, INCORPORATED,

Defendants—Appellees.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:17-CV-2545

Before OWEN, *Chief Judge*, and JONES, SMITH, WIENER, STEWART,
DENNIS, ELROD, SOUTHWICK, HAYNES, GRAVES, HIGGINSON,
COSTA, WILLETT, HO, DUNCAN, ENGELHARDT, OLDHAM, and
WILSON, *Circuit Judges*.

J U D G M E N T

This cause was considered on the record on appeal and was argued by
counsel.

No. 19-20023

IT IS ORDERED and ADJUDGED that the judgment of the District Court is REVERSED and REMANDED to the District Court for further proceedings in accordance with the opinion of this Court.

IT IS FURTHER ORDERED that each party bear its own costs on appeal.

JAMES C. HO, *Circuit Judge*, concurring.

EDITH H. JONES, *Circuit Judge*, joined by OWEN, *Chief Judge*, and WIENER, ELROD, and SOUTHWICK, *Circuit Judges*, dissenting.

WIENER, *Circuit Judge*, joined by OWEN, *Chief Judge*, and JONES, DENNIS, and ELROD, *Circuit Judges*, dissenting.



Certified as a true copy and issued
as the mandate on Oct 01, 2021

Attest:

Lyfe W. Cayce
Clerk, U.S. Court of Appeals, Fifth Circuit

United States Court of Appeals

FIFTH CIRCUIT
OFFICE OF THE CLERK

LYLE W. CAYCE
CLERK

TEL. 504-310-7700
600 S. MAESTRI PLACE,
Suite 115
NEW ORLEANS, LA 70130

October 01, 2021

Mr. Nathan Ochsner
Southern District of Texas, Houston
United States District Court
515 Rusk Street
Room 5300
Houston, TX 77002

No. 19-20023 Hewitt v. Helix Engy Solutions Grp
USDC No. 4:17-CV-2545

Dear Mr. Ochsner,

Enclosed is a copy of the judgment issued as the mandate and a copy of the court's opinion.

Sincerely,

LYLE W. CAYCE, Clerk



By: _____
Shawn D. Henderson, Deputy Clerk
504-310-7668

cc:

Ms. Kimberly Frances Cheeseman
Mr. Michael Carter Crow
Mr. David B. Jordan
Mr. Robert Peter Lombardi
Ms. Katherine D. Mackillop
Mr. Justin Lee Matheny
Ms. Jesika Jasmine Silva Blanco
Mr. Edwin Sullivan